

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NOS. 2009-113-T and 2011-354-T - ORDER NO. 2014-37

JANUARY 14, 2014

IN RE: Docket No. 2009-113-T – Application of	)	ORDER GRANTING
Tom Martin d/b/a Tom's Limo (f/k/a Tom	)	REINSTATEMENT OF
Martin d/b/a Tom's Taxi) for a Class C	)	CERTIFICATE
(Charter) Certificate of Public Convenience	)	
and Necessity for Operation of Motor	)	
Vehicle Carrier	)	
	)	
and	)	
	)	
Docket No. 2011-354-T – Petition of the	)	
Office of Regulatory Staff for Commission to	)	
Order a Rule to Show Cause as to Why the	)	
Certificates of Public Convenience and	)	
Necessity for Certain Motor Carriers Should	)	
Not Be Revoked for Non-Payment of Decal	)	
Fees	)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Tom Martin d/b/a Tom's Limo (the “Applicant”) to reinstate the Applicant’s Class C Charter Certificate of Public Convenience and Necessity No. 8096-A issued to the Applicant pursuant to Commission Order Nos. 2009-214 (April 2, 2009) and 2010-785 (December 7, 2010).

On August 30, 2011, a Petition for a Rule to Show Cause<sup>1</sup> was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to pay decal fees and thereby failing to comply with the statutes governing operations of Motor

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<sup>1</sup> See Docket No. 2011-354-T.

Vehicle Carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Rule to Show Cause for failure to pay decal fees.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on November 2, 2011. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to pay decal fees. Accordingly, the Commission issued Order No. 2011-820, which cancelled the Applicant's Certificate No. 8096-A.

By request filed December 30, 2013, the Applicant seeks approval to have the Certificate in question reinstated. The original Application for certification of Tom Martin d/b/a Tom's Limo, which is on file with the Commission, provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class C Charter Certificate of Public Convenience and Necessity No. 8096-A of Tom Martin d/b/a Tom's Limo be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

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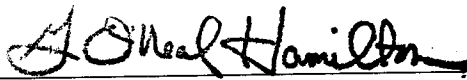
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2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
G. O'Neal Hamilton, Chairman

ATTEST:

  
Nikiya Hall, Vice Chairman

(SEAL)